

LML
Karas, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHARLES BARBERA, JR., INDIVIDUALLY, and
as ADMINISTRATOR OF THE ESTATE OF
LORRAINE MARIE BARBERA,

Civil Action No.:
08-cv-05527 (KMK)

Plaintiff,

- against -

PEERLESS INSURANCE COMPANY,

Defendant.
-----X

**STIPULATION OF
PARTIAL DISMISSAL**

*AS TO SECOND
CAUSE OF ACTION*

IT IS HEREBY STIPULATED AND AGREED, by and between the

undersigned, that the second claim for relief in the Verified Complaint, which is
denominated as the "Second Cause of Action" and alleges bad faith, shall be and hereby is
dismissed.

Dated: New York, New York
July 25, 2008

SPEIGAL, BROWN, FICHERA & COTE

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DATE FILED: _____

SO ORDERED:

K *MA*
Hon. Kenneth M. Karas, U.S.D.J.
8/1/08